

**ASSEMBLY BILL**

**No. 207**

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**Introduced by Assembly Member Ammiano**

January 31, 2011

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An act to add Section 48204.1 to the Education Code, relating to school attendance.

LEGISLATIVE COUNSEL'S DIGEST

AB 207, as introduced, Ammiano. School attendance: residency requirements.

Existing law requires each person between 6 and 18 years of age not otherwise exempted to attend the public full-time day school or continuation school or classes in the school district where the person's parent or legal guardian is located. Existing law provides various exceptions to this residency requirement, including, but not limited to, authorizing a pupil to attend school in a school district in which his or her parent or legal guardian is employed.

This bill would require a school district to accept a wide range of documents and representations from the parent or legal guardian of a pupil as reasonable evidence that the pupil meets those residency requirements, including, but not limited to, property tax payment receipts, rental property contract, lease, or payment receipts, utility service contract, statement, or payment receipts, pay stubs, voter registration, correspondence from a government agency, or a declaration of residency executed by the parent or legal guardian of a pupil who is a homeless child or youth, as defined. The bill would, if an employee of a school district reasonably believes that the parent or legal guardian of a pupil has provided false or unreliable evidence of residency,

authorize the school district to make reasonable efforts to determine that the pupil actually meets the residency requirements.

The bill would specify that it not be construed as limiting access to pupil enrollment in a school district as otherwise provided by state and federal statutes and regulations.

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 48204.1 is added to the Education Code,  
2 to read:

3 48204.1. (a) A school district shall accept from the parent or  
4 legal guardian of a pupil reasonable evidence that the pupil meets  
5 the residency requirements for school attendance in the school  
6 district as set forth in Sections 48200 and 48204. Reasonable  
7 evidence of residency shall be established by documentation  
8 showing the name and address of the parent or legal guardian  
9 within the school district, including, but not limited to, any of the  
10 following documentation:

- 11 (1) Property tax payment receipts.
- 12 (2) Rental property contract, lease, or payment receipts.
- 13 (3) Utility service contract, statement, or payment receipts.
- 14 (4) Pay stubs.
- 15 (5) Voter registration.
- 16 (6) Correspondence from a government agency.
- 17 (7) Declaration of residency executed by the parent or legal  
18 guardian of a pupil who is a homeless child or youth as defined in  
19 Section 725 of the federal McKinney-Vento Homeless Assistance  
20 Act (42 U.S.C. Sec. 11434a).

21 (b) If any employee of a school district reasonably believes that  
22 the parent or legal guardian of a pupil has provided false or  
23 unreliable evidence of residency, the school district may make  
24 reasonable efforts to determine that the pupil actually meets the  
25 residency requirements set forth in Sections 48200 and 48204.

26 (c) Nothing in this section shall be construed as limiting access  
27 to pupil enrollment in a school district as otherwise provided by  
28 federal and state statutes and regulations.

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